

Datum
Date 19.02.2010
Date

Blatt
Sheet 1
Feuille

Anmelde-Nr:
Application No: 05 100 140.2
Demande n°:

The examination is being carried out on the following application documents

Description, Pages

1-25 as originally filed

Claims, Numbers

1-22 as originally filed

Drawings, Sheets

1/4-4/4 as originally filed

1. The following documents are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

- D1 ✓ WO 01/04874 A (KONINKLIJKE PHILIPS ELECTRONICS N.V) 18 January 2001 (2001-01-18)
- D2 ✓ US 6 418 410 B1 (NASSIFF AMADO ET AL) 9 July 2002 (2002-07-09)
- D3 ✓ US 6 138 099 A (LEWIS ET AL) 24 October 2000 (2000-10-24)
- D4 ✓ US 5 857 099 A (MITCHELL ET AL) 5 January 1999 (1999-01-05)
- D5 ✓ EP 0 773 532 A (DRAGON SYSTEMS INC) 14 May 1997 (1997-05-14)
- D6 ✓ US 5 852 801 A (HON ET AL) 22 December 1998 (1998-12-22)
- D7 ✓ EP 0 867 858 A (DRAGON SYSTEMS INC) 30 September 1998 (1998-09-30)

2. The present application does not meet the requirements of Article 52(1) EPC, because the subject-matter of claim 1 is not new in the sense of Article 54(1) and (2) EPC.

2.1 The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and discloses (abstract, fig.4 and accompanying text) a computer-implemented speech recognition system which adapts itself based on corrections made by the user. It is detected if these corrections correspond to recognition errors or if the user is editing his text.

The subject-matter of claim 1 is therefore known from D1

2.2 The same reasoning applies mutatis mutandis to claim 7.

2.3 Documents D2-5 (see passages cited in the search report) could be used in place of document D1 with the same reasoning.

2.4 Dependent claims 2-6, 8-22 do not contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the EPC with respect to novelty or inventive step (Art.56 EPC), the corresponding characteristics being known from D1-7, which all belong to the same technical field, or obvious to the skilled person.

3. It is not at present apparent which part of the application could serve as a basis for a new, allowable claim, refusal of the application under Article 97(2) EPC is therefore to be expected.

Should the applicant nevertheless regard some particular matter as patentable, an independent claim should be filed taking account of Rule 43(1) EPC. The applicant should also indicate in the letter of reply the difference of the subject-matter of the new claim vis-à-vis the state of the art and the significance thereof (i.e. the technical problem solved or the achieved technical advantage, see Rule 42(1)(c) EPC).

3.1 To meet the requirements of Rule 42(1)(b) EPC, the documents D1-5 should be identified in the description and their relevant content should be indicated. It should be clear in the description which features of the subject-matter of the independent claims are known from these documents.

3.2 When filing amended claims the applicant should at the same time bring the description into conformity with the amended claims. Care should be taken during revision, especially of the introductory portion and of any statements of problem or advantage, not to add subject - matter which extends beyond the content of the application as originally filed (Article 123(2) EPC).

In order to facilitate the examination of the conformity of the amended application with the requirements of Article 123(2) EPC, the applicant is requested to clearly identify the amendments carried out, irrespective of whether they concern amendments by addition, replacement or deletion, and to indicate the passages of the application as filed on which these amendments are based.

If the applicant regards it as appropriate these indications could be submitted in handwritten form on an accompanying copy of the relevant parts of the application as filed.

3.3 The features of the claims should be provided with reference signs placed in parentheses to increase the intelligibility of the claims (Rule 43(7) EPC).



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Application No. 05 100 140.2 - 1224	Ref. EP33611TE900kja	Date 19.02.2010
Applicant MICROSOFT CORPORATION		

Communication pursuant to Article 94(3) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(2) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 126(2) and 131(2) and (4) EPC. One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (R. 50(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Art. 94(4) EPC).



Quélavoine, Régis
Primary Examiner
For the Examining Division

Enclosure(s): 2 page/s reasons (Form 2906)